

MEMORANDUM

TO: Governing Board Members

FROM: Tommy B. Strowd, P.E., Division Director, Operations, Maintenance & Construction Division

DATE: March 15, 2012

SUBJECT: B509B Compartment C Buildout:
Compartment C Buildout Stormwater Treatment Area
Permanent Protective Measures for Environmentally Sensitive Areas Change Order to G508
Pump Station Contract 4600001875

Background:

The intent of the District is to construct stormwater treatment area (STA) Compartment C Buildout to further assist the existing STAs in improving the quality of water entering the Everglades Protection Area (EPA). The long-term Everglades water quality goal is for all discharges to the EPA to achieve and maintain compliance with water quality standards, including phosphorus, as established in Rule 62-302.540 of the Florida Administrative Code. The Project is a component of the Long-Term Plan (LTP) and will permit the State of Florida and the District to fulfill their obligations under the Everglades Forever Act (EFA, F.S. 373.4592), and is intended to achieve compliance with the phosphorous limits and levels established under Florida law, Rule 62-302.540, F.A.C. (the Phosphorous Rule), and the Consent Decree entered in United States v. SFWMD, et al., Case No. 88-1886-CIV-Moreno (S.D. Fla.)

A Memorandum of Agreement among the US Army Corps of Engineers, Advisory Council on Historic Preservation, Seminole Tribe of Florida, South Florida Water Management District and Florida State Historic preservation officer pursuant to 36 CFR Part 800 and 33 CFR Part 325 Appendix C was signed by the District on December 16, 2011. This agreement obligates the District to construct the Permanent Protective Measures for the three Environmentally Sensitive Areas within Compartment C.

As means to initiate the construction of the Permanent Protective Measures during the dry season and complete it by end of wet season, the District may amend by change order the G-508 Pump Station contract 4600001875 with Harry Pepper & Associates, Inc to construct the Permanent Protective Measures for Environmentally Sensitive Areas. Completing the construction of the Permanent Protective Measures by start of next dry season will allow the District to meet the time requirements of the Memorandum of Agreement. The Permanent Protective Measures consists of levees and seepage pump stations for three environmentally sensitive areas.

How this helps meet the District's 10-Year Strategic Plan:

The approval to amend by change order the G-508 contract will initiate construction of Permanent Protective Measures in order to meet the mandated dates of the Memorandum of Agreement among the US Army Corps of Engineers, Advisory Council on Historic Preservation, Seminole Tribe of Florida, South Florida Water Management District and Florida State Historic preservation officer.

Fulfillment of the Memorandum of Agreement will allow full utilization of Compartment C which is a component of the Everglades Protection Area Tributary Basins Long-Term Plan for Achieving Water Quality Goals, Revised Part 2 (LTP). Compartment C is included in the 10-Year Strategic Plan and the Annual Work Plan. Compartment C will enable the District to achieve Everglades water quality standards to ensure

that all waters discharging into the Everglades Protection Area are in compliance with state water quality standards.

Funding Source:

Funding for this change order will be through Dedicated Funds (Certificates of Participation (COPS) Everglades Forever Act).

This Board item impacts what areas of the District, both resource areas and geography:

The Compartment C Buildout Project location is in the southeast corner of Hendry County at the intersection of Palm Beach, Broward, and Hendry County lines. It is bounded on the north by the Everglades Agricultural Area (EAA), on the east by the Rotenberger Wildlife Management Area, and on the south by the Big Cypress Seminole Indian Reservation.

The three Environmentally Sensitive Areas are within the Compartment C project.

Staff from the Engineering and Construction Bureau will manage the construction of the project. Staff from Watershed Management will provide operation support and the Clewiston Field Station will be responsible for the maintenance of the STA including the protective measures at the three ESA locations within Compartment C.

What concerns could this Board item raise?

The scope of work of construction of the Permanent Protective Measures for Environmentally Sensitive Areas was not competitively bid.

Why should the Governing Board approve this item?

Approval to amend Contract 4600001875 will allow the District to initiate construction of the Permanent Protective Measures for Environmentally Sensitive Areas during this dry season and ensure completion of the protective measures by the end of wet season. Completion of the protective measures will allow the District to meet the mandated dates of the Memorandum of Agreement among the US Army Corps of Engineers, Advisory Council on Historic Preservation, Seminole Tribe of Florida, South Florida Water Management District and Florida State Historic preservation officer.

Fulfillment of the obligations of the Memorandum of Agreement will allow the District to fully utilize Compartment C and help achieve the goals of the Long-Term Plan.

If you have any questions, please do not hesitate to call me at ext. 6998.

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